

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

IN RE:

JORGE C. ZAMORA-QUEZADA, M.D., § CASE NO. 16-70270  
M.P.H., P.A.  
dba Multi Specialty Clinic,  
dba McAllen Arthritis and Osteoporosis  
Center,  
Dbas Angeles Multi Specialty Clinic  
DEBTOR

**TRUSTEE'S MOTION FOR ENTRY OF ORDER COMPELLING  
TURN OVER AND PRODUCTION OF RECORDED INFORMATION TO HIM**

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING. REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

**THERE WILL BE A HEARING ON THIS MOTION ON \_\_\_\_\_ AT  
\_\_\_\_\_ O'CLOCK IN COURTROOM \_\_\_\_\_.**

Michael B. Schmidt, Chapter 7 Bankruptcy Trustee ("Trustee") moves this Court for an Order Compelling Ryan James and his Law firm, Farneth, Tomosovich, LLC, (collectively "James") of 437 Grant St., Ste. 1000, Pittsburg, PA 15219 and Hannah L. Crews, ("Crews") of 39801 St. Rt. 39, Wellsville, OH 43968 to Turn Over and Produce to the Trustee all Recorded Information (including electronic information), which includes books, documents, records and papers relating to representation and/or professional services provided to Debtor pursuant to 11 U.S.C. §542(e) as follows:

1. 11 U.S.C. §542(e) provides after notice and hearing this Court may order an attorney to turnover and disclose to the Trustee recorded information, including books, documents, records and papers, relating to Debtor's property or financial affairs.

2. James and Crews were attorneys (and purport to still act) for Debtor concerning litigation in the Court of Common Pleas of Summit County, Ohio under Civil Action CV 2011 03 1669, styled *Hitachi Medical Systems of America, Inc. Plaintiff v. JCZQ Family LP and Debtor*, and appeals therefrom. Consequently, the Trustee is seeking turnover and delivery to him of all Recorded Information, including any and all books, memorandums, pleadings, payments, position papers, mediation statements, electronic information, communications, faxes, emails, or any other documents, records and papers (including expert reports) relating to Debtor (the "Recorded Information"). Debtor's attorney client privilege is controlled by the bankruptcy trustee. *Commodity Futures Trading Commission v. Weintraub*, 105 S. Ct. 1986 (1985).

3. Pursuant to 11 U.S.C. §542(e), and under *Weintraub*, the Trustee is entitled to turnover and production of all of such Recorded Information and requests the Court enter an Order compelling such turnover

WEHREFORE the Trustee pray that this Court grant his Motion for and for any additional relief to which he is entitled.

Respectfully submitted:

Law Offices of Michael B. Schmidt

By: /S/MICHAEL B. SCHMIDT  
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TBN: 17775200 Fed. ID No. 10260  
ATTORNEY FOR TRUSTEE

CERTIFICATE OF SERVICE

I do hereby certify that on the 24<sup>th</sup> day of January, 2017, I served a copy of the forgoing Motion by electronic mail or by regular mail (and email where indicated) to the persons on the attached list and those listed below.

Ryan James and his Law firm, Farneth, Tomosovich, LLC, 437 Grant St., Ste. 1000, Pittsburg, PA 15219, email to rxj@farnethtomosovich.com

Hannah L. Crews, 39801 St. Rt. 39, Wellsville, OH 43968, email to hcrewsatty@gmail.com

/S/MICHAEL B. SCHMIDT  
Michael B. Schmidt

Hitachi Medical Systems America, Inc.  
c/o Morgan, Lewis & Bockius LLP  
1000 Louisiana Street, Suite 4000  
Houston, TX 77002-5048

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2601 Cornerstone Blvd.  
Edinburg, TX 78539-8479

AT&T  
P.O. Box 105414  
Atlanta GA, 30348-5414

American Express  
P.O. Box 650448  
Dallas, TX 75265-0448

Ashford Oaks Properties, Ltd  
8122 Datapoint Drive Ste 820  
San Antonio, TX 78229-3426

Bio Rad Laboratories  
Clinical Diagnostics Division  
Dept. 9740  
Los Angeles, CA 90084-9740

Bio-Ops LLC  
P.O. Box 1985  
Edinburg, TX 78540-1985

Champs Pharmacy  
7718 Louis Pasteur Dr.  
San Antonio, TX 78229-3402

City of McAllen, et al  
c/o Diane W. Sanders  
Linebarger Goggan Blair & Sampson, LLP  
P.O. Box 17428  
Austin, TX 78760-7428

Cornerstone Owners Associaton  
2111 Jackson creek Ave.  
Edinburg, TX 78539-1726

Culligan Water  
P.O. Box 1029  
San Benito, TX 78586-0010

DiaSorin  
P.O. Box 285  
Stillwater, MN 55082-0285

Eco Air  
211 Lilly Dr.  
San Juan, TX 78589-4939

Ejet 500 Pilot Training and Services, LL  
6901 Wildwood Lane NE  
Albuquerque, NM 87111-1081

Elite Cleaning Services  
5810 Ave. A  
Mission, TX 78574-4131

Fidia Pharma USA Inc.  
P.O. Box 10341  
Uniondale, NY 11555-0341

Gregory R. Glick LLC  
Attorney at Law  
147 Bell St. Ste. 302  
Chagrin Falls, Ohio 44022-2947

HITACHI Medical Systems America, Inc  
Care of (Paul R. Wilson Law Firm, PC)  
323 W. Cano, Ste. 200  
Edinburg, TX 78539-4592

Harold Pollock Co, LPA  
5900 Harper Road Ste. 107  
Solon, Ohio 44139-1866

Inova Diagnostics, Inc.  
P.O. Box 83358  
Woburn, MA 01813-3358

Jackson Kelly PLLC  
Attorney's at Law  
P.O. Box 11276  
Charleston, West Virginia 25339-1276

Laboratory Advisory Bureau  
2721 Foundation Plaza Blvd Ste. D  
Edinburg, TX 78539-8016

Labservices, Inc  
2031 E. Griffin Pkwy  
Mission, TX 78572-3222

McKesson Information Solutions  
P.O. Box 98347  
Chicago, IL 60693-8347

McKesson Medical Surical  
P.O. Box 371269  
Pittsburgh, PA 15250-7269

McKesson Speciality Dist  
P.O. Box 841838  
Dallas, TX 75284-1838

Orbit Medical Technologies  
16151 Clinton St.  
Harvey, IL 60426-5908

Orkin Exterminating  
222 Hanmore Blvd  
Harlingen, TX 78550-7677

Physician Sales & Service Inc.  
P.O. Box 846260  
Dallas, TX 7852-6260

Q&I/ Nextgen  
18111 Von Karman Ave Ste. 700  
Irvine, CA 92612-7110

Reliant  
P.O. Box 650475  
Dallas, TX 75265-0475

Salinas, Allen, Schmitt  
314 Nolana  
McAllen, TX 78504-2528

Secure Document Shredding  
1212 28th Ave.  
Edinburg, TX 78542-7207

Shred It  
DBA Shred-It San Antonio  
7007 Fairgrounds Pkwy, Ste 101  
San Antonio, TX 78238-4512

Siemens Financial Services  
P.O. Box 2083  
Carol Stream, IL 60132-2083

Siemens Healthcare Diagnostics  
Dept. 121102  
1501 N. Plano Rd.  
Richardson, TX 75081-2492

Superoir Alarms  
P.O. Box Drawer 3097  
McAllen, 78502-3097

(p)C O AMERICAN INFOSOURCE LP  
4515 N SANTA FE AVE  
OKLAHOMA CITY OK 73118-7901

Texas Decon LLC  
211 Lucinda Drive  
New Braunfels, TX 78130-4591

The Carrington Company  
San Antonio Med. Building  
P.O. Box 1328  
Eureka, CA 95502-1328

Thera-Test Laboratories  
1111 N. Main Street  
Lombard, IL 60148-1360

Time Warner Cable  
P.O. Box 60074  
City Of Industry CA 91716-0074

US Trustee  
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Corpus Christi, TX 78401-0680

Wells Fargo Financial Leasing  
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Carol Stream, IL 60197-6434

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M.P.H., P.A.

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Center,

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DEBTOR

**ORDER COMPELLING TURNOVER OF RECORDED INFORMATION**

Before the Court for Consideration is the Trustee's Motion for Entry of Order Compelling Turnover and Production to him of all Recorded Information, including books, documents, records and papers (electronic or otherwise) relating to Debtor's property or financial affairs, pursuant to 11 U.S.C. §542(e) and *Commodity Futures Trading Commission v. Weintraub*, 105 S. Ct. 1986 (1985). The Court having considered the Motion, the evidence and the agreement of the parties finds the Motion to be well taken and in the best interest of the estate and its creditors and that it should be GRANTED.

Therefore, it is ORDERED and DIRECTED Ryan James and his Law firm, Farneth, Tomosovich, LLC, and Hannah L. Crews, shall immediately turned over and deliver to Trustee, Michael B. Schmidt at 401 Grant Pl., Corpus Christi, Texas 78411, all Recorded Information in their possession and/or control. This Recorded Information, includes all books, documents, records and papers (electronic or otherwise) relating to Debtors' property or financial affairs, specifically including any and all books, memorandums, pleadings, payments, position papers, mediation statements, electronic information, communications, faxes, emails, or any other documents, records and papers relating to Debtor's property, liabilities or financial affairs (the "Recorded Information"). This Recorded Information specifically includes, but is not limited to, all matters pertaining to, related to, or arising in the litigation in the Court of Common Pleas of Summit County, Ohio under Civil Action CV 2011 03 1669, styled *Hitachi Medical Systems of America, Inc. Plaintiff v. JCZQ Family LP and Debtor*, and any appeals therefrom.

IT IS SO ORDERED.